

23. (New) The method of claim 13, wherein the configuration of said wireless communication device comprises a wireless data transmission protocol supported by said wireless communication device.

24. (New) The method of claim 13, wherein the configuration of said wireless communication device comprises a file type that can be displayed by said wireless communication device.

25. (New) The method of claim 13, further comprising a step of determining a location of said wireless communication device and wherein the provision of the advertisements is further based upon the determined location of said wireless communication device.

26. (New) The method of claim 25, further comprising a step of conveying the determined location of said wireless communication device to a provider of at least one of said products or services.

REMARKS

In a Final Office Action, dated May 24, 2001, (paper no. 7) the Examiner rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over Altschul et al. (U.S. patent no. 5,983,094, hereinafter referred to as "Altschul") in view of Goldhaber et al. (U.S. patent no. 5,855,008, hereinafter referred to as "Goldhaber") and further in view of Hall et al. (U.S. patent no. 6,026,375, hereinafter referred to as "Hall"). The rejections are traversed and reconsideration is hereby respectfully requested.

The applicants have amended claim 1 to include a limitation of providing advertisements to the end user in lieu of receiving compensation for the subscription, wherein the provision of the advertisements is based upon the content that a user is receiving on said wireless communication device. Support for this limitation may be found in claim 10. In

rejecting claim 10, the Examiner acknowledged that this limitation is not taught by Altschul but stated that Goldhaber teaches the provision of a coupon or advertisement based on the content of items that the customer is receiving. (FIG. 11; col. 5, lines 31-34)

The applicants respectfully disagree. Goldhaber teaches the provisions of ads to consumers based on pre-stored consumer profiles. The consumer profiles are input by the consumer into a database that is stored on either the consumer's computer or a system server. (col. 12, line 39 to col. 14, line 14) The system then releases the consumer's profile to advertisers, thereby allowing the advertisers to target their ads to certain consumers. (col. 14, lines 16-46) Goldhaber is a static system in that the ads sent to consumers are based on pre-stored data. Nowhere does Goldhaber teach the more dynamic limitation of claim 1 of the provision of a coupon or an ad to a consumer based on the content of items that the customer is receiving on the consumer's wireless device. Therefore, neither Altschul nor Goldhaber, individually or in combination, teach the limitations of claim 1. Accordingly, the applicants respectfully request that claim 1 may now be passed to allowance.

Since claims 2-9, 11, 12, 21, and 22, depend upon allowable claim 1, the applicants respectfully request that claims 2-9, 11, 12, 21, and 22 may now also be passed to allowance.

The applicants have amended claim 13 to include a limitation of providing advertisements to the end user in lieu of receiving compensation for the subscription, wherein the provision of the advertisements is based upon a configuration of said wireless communication device. Support for this limitation may be found on pages 2-8, 10-14, and 17-18 of the specification. Nowhere do any of Altschul, Goldhaber, or Hall teach any consideration of a configuration of a wireless communication device, such as whether the device is merely capable of displaying a few lines of text as opposed to displaying video or MP3 files or the type of wireless data transmission protocol supported by said wireless communication device. Therefore, none of Altschul, Goldhaber, or Hall, individually or in combination, teach the limitations of claim 13. Accordingly, the applicants respectfully request that claim 13 may now be passed to allowance.

Since claims 14-17, 19, and 23-26 depend upon allowable claim 13, the applicants respectfully request that claims 14-17, 19, and 23-26 may now also be passed to allowance.

As the applicants have overcome all substantive rejections given by the Examiner and have complied with all requests properly presented by the Examiner, the applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Respectfully submitted,

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Version with Markings to Show Changes Made

1. (Twice Amended) A method of providing service in a wireless communication network comprising the steps of:

providing a plurality of service options to an end user of a wireless communication device operating on said wireless communication network;

providing products or services to said end user in response to a subscription to one of said service options; and

providing advertisements [based upon location related information of said wireless communication device] to the end user in lieu of receiving compensation for the subscription, wherein the provision of the advertisements is based upon the content that a user is receiving on said wireless communication device.

10. Canceled.

13. (Once Amended) A method of providing service in a wireless communication network comprising the steps of:

providing a plurality of service options to an end user of a wireless communication device operating on said wireless communication network;

providing products or services to said end user in response to [the] a subscription to one of said service options; and

providing advertisements [based upon location related information of said wireless communication device] to the end user in lieu of receiving compensation for the subscription [when a subscriber is within a predetermined distance of said predetermined vendor], wherein the provision of the advertisements is based upon a configuration of said wireless communication device.

18. Canceled.

20. Canceled.